

Honolulu, Hawaii

April 27, 2006

RE: H.B. No. 439
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 439, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE OFFICE OF THE OMBUDSMAN,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to enable the Office of the Ombudsman to access state tax returns and tax return information relating to its official duties, including the investigation of the administrative acts of agencies.

Your Committee on Conference has amended this bill by:

- (1) Limiting the Ombudsman's access to tax returns and return information of any taxpayer who files a complaint with the Ombudsman about an administrative act of the Department of Taxation;



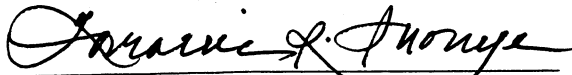
- (2) Limiting this access to tax returns and return information to only the Ombudsman and not to an authorized representative;
- (3) Changing the effective date to July 1, 2006; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 439, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 439, H.D. 1, S.D. 2, C.D. 1.

Respectfully submitted on behalf
of the managers:

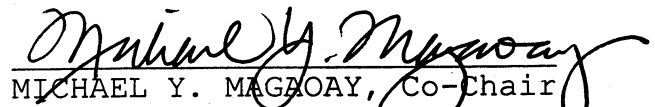
ON THE PART OF THE SENATE

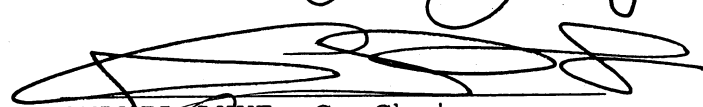
ON THE PART OF THE HOUSE


LORRAINE R. INOUE, Chair


COLLEEN HANABUSA, Co-Chair


BRIAN T. TANIGUCHI, Co-Chair


MICHAEL Y. MAGAOAY, Co-Chair


SYLVIA LUKE, Co-Chair


RYAN I. YAMANE, Co-Chair



Hawaii State Legislature

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 439, HD 1, SD 2					Date/Time: 4/25/06 2:55 PM				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
INOUE, Lorraine R., Chr.	/				MAGAOAY, Michael Y., Co-Chr.	/			
HANABUSA, Colleen, Co-Chr.	/				LUKE, Sylvia, Co-Chr.	/			
TANIGUCHI, Brian T., Co-Chr.					YAMANE, Ryan I., Co-Chr.	/			
					HALFORD, Chris		/		
TOTAL	2			1	TOTAL	3	1		
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
Distribution: Original					Yellow Pink Goldenrod				
File with Conference Committee Report					House Clerk's Office Senate Clerk's Office Drafting Agency				